

### **REMARKS**

Applicants thank the Examiner for the careful consideration given to this application and for the interview conducted on July 13, 2010. Reconsideration is now respectfully requested in view of the amendment above and the following remarks.

Claims 47-49 and 51-92 are pending in this application. Claim 47 is the sole independent claim. Claim 47 is amended; it is respectfully submitted that all amendments are supported by Applicants' application as originally filed. Claims 1-46 and 50 were previously cancelled without prejudice or disclaimer. Reconsideration and allowance of the present application are respectfully requested.

### **Summary of Examiner Interview**

Applicants again thank the Examiner for the interview of July 13, 2010. This was a telephone interview conducted between Examiner Jean St. Cyr and Primary Examiner Annan Shang for the U.S. Patent and Trademark Office and Applicants' undersigned representative. The discussion focused on the elements of Claim 47. In particular, Applicants sought and received explanations as to how the Shin and Ottesen references were being applied to these claim elements. While no agreement was reached, possible amendments were also discussed for consideration by Applicants.

### **Double Patenting Rejection**

Claim 41 stands provisionally rejected on the ground of nonstatutory, obviousness-type double patenting as being unpatentable over Claim 22 of copending App. No. 11/091,217, which has at least one Applicant in common with the present application. This rejection is respectfully traversed for at least the following reasons.

Applicants note that Claim 41 was previously cancelled, thus rendering moot this rejection.

However, Applicants further note that the Office Action at page 4 discusses this rejection with respect to Claim 47 of the present application, as well. Hence, Applicants also traverse this rejection. In particular, Applicants note first that present Claim 47 includes "the complementary

information also including functions for reconstructing the original stream with the modified information, wherein a respective one of the one or more functions contains at least one instruction putting data and one or more operators in a relationship.” In contrast, there is no mention of the complementary information including any such function in Claim 22 of App. No. 11/091,217 (“the ‘217 application”). Second, Claim 22 of the ‘217 application is directed to “distributing digital video sequences,” while Claim 47 of the present application is directed to “secured distribution of at least one digital fixed picture.” Third, Claim 47 of the present application specifically recites, “at least one digital fixed picture in an original stream, wherein the picture includes sequences of data that respectively contain a part of information of the picture, the original stream being in a nominal compressed block format based on wavelets, and the original stream including wavelet coefficients;” however, there is no mention of wavelets anywhere in Claim 22. None of at least these features of Claim 47 is either taught or suggested by Claim 22 of the ‘217 application; hence, Applicants respectfully submit that Claim 22 of the ‘217 application fails to support this rejection of Claim 47 of the present application.

Therefore, Applicants respectfully request that the provisional rejection of Claim 41 (and/or Claim 47) on the ground of nonstatutory, obviousness-type double patenting as being unpatentable over Claim 22 of copending App. No. 11/091,217 be withdrawn.

#### **Claim Rejections Under 35 U.S.C. §103**

Claims 47-49, 51-52, 54, 57-58, 62-64, 70-75, 78 and 91-92 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,415,042 to Shin (hereinafter “Shin”) in view of U.S. Patent Publication No. 2003/0198403 to Ottesen (hereinafter “Ottesen”), further in view of U.S. Patent Publication No. 2004/0234147 to Malvar (hereinafter “Malvar”). This rejection is respectfully traversed for at least the following reasons.

Claim 47, as amended, reads as follows:

A process for secured distribution of at least one digital fixed picture in an original stream, wherein the picture includes sequences of data that respectively contain a part of information of the picture, the original stream being in a nominal compressed block format based on wavelets, and the original stream including wavelet coefficients, the process comprising:

modifying the original stream by modifying the wavelet coefficients to produce a modified stream having the same nominal block format as the original stream;

generating complementary information including modified information from the original stream, the complementary information also including one or more functions for reconstructing the original stream with the modified information, wherein a respective one of the one or more functions contains at least one instruction relating data associated with the complementary information and/or the modified stream and one or more operators associated with reconstructing the original stream from the modified stream; and

separately transmitting the modified stream and the complementary information to an addressee equipment for reconstruction of the original stream from the modified stream and the complementary information, wherein the reconstruction is adaptive and progressive as a function of information associated with a digital profile of the addressee equipment provided in the complementary information.

The Office Action addresses Claim 47 at pages 5-7. At page 6, the Office Action reads as follows:

[Shin] did not explicitly disclose generating complementary information including modified information from the original stream, the complementary information also including functions for reconstructing the original stream with the modified information; and transmitting the modified stream and the complementary information to an addressee equipment for reconstruction;

the original reconstructed stream from the modified stream and the complementary information, wherein the reconstruction is adaptive and progressive as a function of information associated with a digital profile of the addressee equipment provided in the complementary information.

Office Action at 6. Applicants agree that Shin fails to disclose (or suggest) at least these features. The Office Action then alleges that “Ottesen [] disclose[s] generating complementary information including modified information from the original stream, the complementary

information also including functions for reconstructing the original stream with the modified information; and transmitting the modified stream and the complementary information to an address equipment for reconstruction,” citing Ottesen at Fig. 1 and col. 4, line 65 to col. 5, line 9. Office Action at 6. Applicants respectfully disagree.

First, Applicants have amended Claim 47 to read “separately transmitting the modified stream and the complementary information.” In contrast, the Office Action admits, “by associating data marker to the transformed stream for later restoration that means that the complementary data was transmitted together with the modified stream.” Office Action at 6. Hence, Ottesen teaches away from Claim 47 as amended and thus cannot teach at least this element of the claim.

Second, the Office Action further states, “Module 120 modifies data from a base-domain source to add one or more markers for later restoration of the original image, module 130 may send only the magnitude component – or a derivative such as magnitude squared – as data 131 representing the original image. Line 132 symbolically represents discarded complementary phase-component data.” Office Action at 6. These teachings of Ottesen, however, further distinguish what Ottesen does from what is claimed. Claim 47 (as amended) includes, “modifying the original stream by modifying the wavelet coefficients to produce a modified stream having the same nominal block format as the original stream.” However, if the marker information is incorporated into the stream, the modified stream is no longer “in the same nominal block format as the original stream,” as claimed; its format has been changed by adding the markers. Hence, Ottesen further teaches away from the claimed method, and combining Ottesen with Shin and Malvar fails to result in the claimed subject matter.

Finally, Claim 47 (as amended) recites, “generating complementary information including modified information from the original stream, the complementary information also including functions for reconstructing the original stream with the modified information, wherein a respective one of the one or more functions contains at least one instruction relating data associated with the complementary information and/or the modified stream and one or more operators associated with reconstructing the original stream from the modified stream.” Nowhere in Ottesen or in any of the other cited references have Applicants found a disclosure or suggestion of such a “function” in the “complementary information.”

For at least these reasons, Applicants respectfully submit that the cited references fail to support the rejection of Claim 47 and its dependent claims listed above (Claims 48, 49, 51-52, 54, 57-58, 62-64, 70-75, 78 and 91-92).

Claims 53, 59-61 and 76-77 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin in view of Ottesen, in further view of Malvar, and in further view of U.S. Patent No. 7,321,625 to Zhang et al. (hereinafter “Zhang”). This rejection is respectfully traversed for at least the following reasons.

Claims 53, 59-61, 76, and 77 all depend, either directly or indirectly, from Claim 47. Therefore, the above discussion applies to these claims, as well. Applicants further note that Zhang fails to address the above-mentioned shortcomings of the combination of Shin, Ottesen, and Malvar. Hence, it is respectfully submitted that the cited references fail to support the rejection of Claims 53, 59-61, 76, and 77.

Claims 79-85 and 87-88 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin in view of Ottesen, in further view of Malvar, and in further view of U.S. Patent Publication No. 2002/0118859 to Stone et al. (hereinafter “Stone”). This rejection is respectfully traversed.

Claims 79-85, 87, and 88 all depend, either directly or indirectly, from Claim 47. Therefore, the above discussion applies to these claims, as well. Applicants further note that Stone fails to address the above-mentioned shortcomings of the combination of Shin, Ottesen, and Malvar. Hence, it is respectfully submitted that the cited references fail to support the rejection of Claims 79-85, 87, and 88.

Claims 86, 89 and 90 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin in view of Ottesen, in further view of Malvar, further in view of Stone and in further view of U.S. Patent No. 6,735,699 to Sasaki et al. (hereinafter “Sasaki”). This rejection is respectfully traversed.

Claims 86, 89, and 90 all depend, either directly or indirectly, from Claim 47. Therefore, the above discussion applies to these claims, as well. Applicants further note that Sasaki fails to

address the above-mentioned shortcomings of the combination of Shin, Ottesen, and Malvar (and Stone). Hence, it is respectfully submitted that the cited references fail to support the rejection of Claims 86, 89, and 90.

Claims 55-56 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin in view of Ottesen, in further view of Malvar, and in further view of U.S. Patent Publication No. 2002/0133830 to Kim et al. (hereinafter “Kim”). This rejection is respectfully traversed.

Claims 55 and 56 depend, either directly or indirectly, from Claim 47. Therefore, the above discussion applies to these claims, as well. Applicants further note that Kim fails to address the above-mentioned shortcomings of the combination of Shin, Ottesen, and Malvar. Hence, it is respectfully submitted that the cited references fail to support the rejection of Claims 55 and 56.

Claims 65-69 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin in view of Ottesen, in further view of Malvar, and in further view of U.S. Patent No. 7,421,082 to Kamiya et al. (hereinafter “Kamiya”). This rejection is respectfully traversed.

Claims 65-69 all depend, either directly or indirectly, from Claim 47. Therefore, the above discussion applies to these claims, as well. Applicants further note that Kamiya fails to address the above-mentioned shortcomings of the combination of Shin, Ottesen, and Malvar. Hence, it is respectfully submitted that the cited references fail to support the rejection of Claims 65-59.

Therefore, Applicants respectfully request that the rejections of the claims under 35 U.S.C. §103 be withdrawn.

#### **Disclaimer**

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

**CONCLUSION**

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 27592-01110-US1 from which the undersigned is authorized to draw.

Dated: July 23, 2010

Respectfully submitted,

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